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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DOMINIC COBARRUVIAZ,  
Individually and On Behalf of All Others  
Similarly Situated Employees,  
  
Plaintiffs,

vs.

MAPLEBEAR, INC., dba INSTACART;  
AND DOES 1 THROUGH 100, inclusive,  
  
Defendants.

No. C15-0697 EMC

**STIPULATION AND ~~[PROPOSED]~~  
ORDER ALLOWING PLAINTIFF TO  
FILE FIRST AMENDED  
COMPLAINT FOR DAMAGES**

On January 9, 2015, Plaintiff DOMINIC COBARRUVIAZ ("Plaintiff") filed his Complaint for violations of the California Labor Code, Unfair Business Practices/Competition, and Fraud/Intentional Misrepresentation in this action against MAPLEBEAR INC. dba INSTACART ("Defendant").

Plaintiff seeks to file his First Amended Complaint for Damages, which adds additional putative class representatives, a cause of action for violations of the federal Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.*, four additional causes of action under the California Labor Code for failure to pay minimum wage and provide meal and rest breaks, willful misclassification, and advising an employer to misclassify employees as independent contractors, and related causes of action under the laws and applicable rules and regulations of the states where the new class representatives worked and resided during the relevant period.

A copy of Plaintiff's proposed First Amended Complaint for Damages is attached hereto as **Exhibit 1**.

It is hereby stipulated, by and between Plaintiff and Defendant, by and through their respective counsel, that:

1. Plaintiff should be granted leave to amend to file his First Amended Complaint for Damages, a copy of which is attached hereto as **Exhibit 1**.

2. Defendant reserves all rights with respect to Plaintiff's First Amended Complaint and any responsive pleading shall be due forty-five (45) days after the Court Order granting leave to file the First Amended Complaint for Damages.

DATED: April 3, 2015

THE ARNS LAW FIRM

By: 

ROBERT S. ARNS  
JONATHAN E. DAVIS  
Attorneys for Plaintiff

DATED: April 3, 2015

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: 

SHON MORGAN  
VIOLA TREBICKA  
MATTHEW HOSEN  
Attorneys for Defendant

**ORDER**

The Court having reviewed the foregoing Stipulation, and good cause appearing therefore:

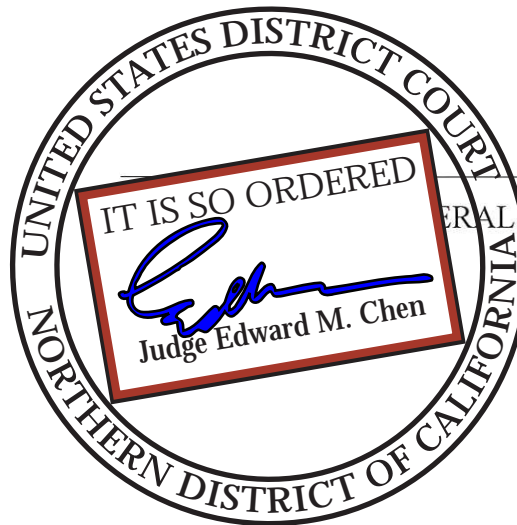
**IT IS HEREBY ORDERED** that Plaintiff, DOMINIC COBARRUVIAZ, is granted leave to amend to file his First Amended Complaint for Damages, a copy of which is attached hereto as **Exhibit 1**.

**IT IS ALSO ORDERED** that Defendant reserves all rights with respect to Plaintiff's First Amended Complaint and any responsive pleading shall be due forty-five (45) days after this Court Order granting leave to file the First Amended Complaint for Damages.

**IT IS FURTHER ORDERED** that the First Amended Complaint for Damages is deemed filed the date the parties filed this Stipulation and Order with the Court.

IT IS SO ORDERED.

Dated: 4/6/15





Dominic Cobarruviaz v. Maplebear, Inc., dba Instacart  
San Francisco Superior Court Case No. CGC-15-543583  
United States Northern District Court San Francisco  
Division Case No. 3:15-cv-00697-EMC

CERTIFICATE OF SERVICE

I, the undersigned, declare as follows:

I am a citizen of the United States, over the age of 18 years and not a party to, nor interested in, the above-entitled action. I am an employee of The Arns Law Firm, A Professional Corporation, and my business address is 515 Folsom Street, 3<sup>rd</sup> Floor, San Francisco, CA 94105

On April 3, 2015, I served the following: **STIPULATION AND [PROPOSED] ORDER ALLOWING PLAINTIFF TO FILE FIRST AMENDED COMPLAINT FOR DAMAGES AND [PROPOSED] COLLECTIVE ACTION COMPLAINT [29 U.S.C 201] AND FIRST AMENDED CLASS ACTION COMPLAINT WITH EXHIBIT 1 AND EXHIBIT 2**

on all interested parties in the above cause, by:

  X   **REGULAR MAIL** by placing a true and correct copy thereof enclosed in a sealed envelope with postage thereon fully prepaid. Said envelope was thereafter deposited in the United States Mail at San Francisco, California in accordance with this firm's business practice of collection and processing correspondence for mailing of which I am readily familiar. All correspondence is deposited with the United States Postal Service on the same day in the ordinary course of business.

Shon Morgan  
Viola Trebicka  
Matthew Hosen  
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Executed on April 3, 2015 at San Francisco, California.

  
LAUREN CATTOLICO